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ACADEMIC POSITIONS

Duke University School of Law

L. Neil Williams, Jr. Professor of Law (July 1, 2018-present)
Professor of Law (July 1, 2018-present)
Secondary Appointment, Sanford School of Public Policy, (2019-present)
Director and founder, Center for Science and Justice (Sept. 2019-present)

University of Virginia School of Law

White Burkett Miller Professor of Law and Public Affairs (Aug. 2017-June 2018)
Justice Thurgood Marshall Distinguished Professor of Law (Aug. 2015-June 2018)
Roy L. and Rosamund Woodruff Morgan Professor of Law (Aug. 2011-Aug. 2014)
Professor of Law, University of Virginia School of Law (Aug. 2010-June 2018)
Associate Professor of Law, University of Virginia School of Law (June 2005-Aug. 2010)

Oxford University

Visiting Fellow, All Souls College (April-June 2015)

EDUCATION

COLUMBIA LAW SCHOOL, New York, NY, J.D. May 2001

Honors: E.B. Convers Prize, Samuel L. Rosenman Prize, Class of 1912 Prize
Columbia Law Review, Articles Editor (2000-2001)
James Kent Scholar (1998-2000)

YALE COLLEGE, New Haven, CT, B.A. in Philosophy, May 1997

Honors: *Cum laude*, distinction in the Philosophy Major

PUBLICATIONS

Books

Autopsy of a Crime Lab: Exposing the Flaws in Forensics (California University Press, 2021)
Translation in Chinese (Rye Field Publications, Taiwan, forthcoming)

The Death Penalty (Concepts and Insights Series, Foundation Press, 2018) [with Lee Kovarsky]

End of its Rope: How Killing the Death Penalty Can Revive Criminal Justice (Harvard University Press 2017)

Too Big to Jail: How Prosecutors Compromise with Corporations (Harvard University Press, Fall 2014)

Paperback (Harvard University Press 2016)
Translation in Chinese (Business Weekly Publications, Taiwan, 2016)
Translation in Chinese (Law Press China, forthcoming)
Translation in Korean (Korean National Open University Press, forthcoming)
Translation in Spanish (Marcial Pons, Madrid, Spain, forthcoming)

Federal Habeas Corpus: Executive Detention and Post-Conviction Litigation (Foundation Press 2013) [with Lee Kovarsky]

Convicting the Innocent: Where Criminal Prosecutions Go Wrong (Harvard University Press 2011)
Paperback (Harvard University Press 2012)
Translation in Korean (Hankyoreh Publishing Company, 2021)
Translation in Japanese (Nippon Hyoronsha, Japan 2014)
Translation in Chinese (New Sharing Publishing Co., Taiwan, 2014)
Translation in Chinese (China University of Political Science and Law Press, 2015)

Articles

The Brady Database (work in progress) [with Adam Gershowitz and Jennifer Teitcher]

Open Prosecution (work in progress) [with William Crozier, Beth Gifford, Catherine Grodensky, Adele Quigley-McBride, and Jennifer Teitcher]

Models of Bail Reform (work in progress)

Innocence Presumptions (work in progress) [with Gregory Mitchell]

Towards a Right to Prison Health (work in progress) [with Deniz Ariturk and Lauren Brinkley-Rubenstein]

The Law and Science of Eyewitness Evidence, 101 BOSTON UNIVERSITY LAW REVIEW __ (2021) [with Tom Albright]

The Trajectory of Federal Gun Crimes, 169 UNIVERSITY OF PENNSYLVANIA LAW REVIEW __ (forthcoming 2021) [with Jake Charles]

Viral Injustice, 109 CALIFORNIA LAW REVIEW __ (forthcoming 2022) [with Lee Kovarsky]

Closing International Law's Innocence Gap, 109 SOUTHERN CALIFORNIA LAW REVIEW __ (forthcoming 2022) [with Laurence R. Helfer and Jayne Huckerby]

The Law on Police Use of Force in the United States, 21 GERMAN LAW JOURNAL 1526 (2020) [with Christopher Slobogin]

Misplaced Constitutional Rights, 100 BOSTON UNIVERSITY LAW REVIEW 2085 (2020)

Corporate Crimmigration, UNIVERSITY OF ILLINOIS LAW REVIEW (forthcoming 2020)

Testing Compliance, 83 LAW & CONTEMPORARY PROBLEMS 47(2021) [with Greg Mitchell]

Life Without Parole Sentencing, NORTH CAROLINA LAW REVIEW (2020) [with Karima Modjadidi, Kristen Renberg, and Travis Seale-Carlisle]

The Transparency of Jail Data, 55 WAKE FOREST LAW REVIEW 821 (2020) [with William E. Crozier and Arvind Krishnamurthy]

Driven to Failure: Analyzing Driver's License Suspension in North Carolina, 69 DUKE LAW JOURNAL 1585 (2020) [with Will Crozier]

Judging Risk, 108 CALIFORNIA LAW REVIEW 439 (2020) [with John Monahan]

Wrongful Convictions, 3 ANNUAL REVIEW OF CRIMINOLOGY 245 (2020)

Wealth, Equality, and Due Process, 61 WILLIAM & MARY LAW REVIEW 397 (2019-2020)

Declining Corporate Prosecutions, 57 AMERICAN CRIMINAL LAW REVIEW 109 (2019)

Board Compliance, 102 MINNESOTA LAW REVIEW 1191 (2020) [with John Armour, Jeff Gordon, and Geeyoung Min]

Juvenile Life Without Parole in North Carolina, 106 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 141 [with Ben Finholt, Karima Modjadidi, and Kristen Renberg] (2020)

Local Constitutional Interpretation, 104 CORNELL LAW REVIEW 855 (2019)

The State of the Death Penalty, 94 NOTRE DAME LAW REVIEW 1255 (2018) [with Ankur Desai]

Unconstitutionally Illegitimate Intent, 104 VIRGINIA LAW REVIEW 1471 (2018)

The Proficiency of Experts, 166 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 901 (2018) [with Gregory Mitchell]

Constitutional Reasonableness, 102 MINNESOTA LAW REVIEW 61 (2017)

The Public Interest in Corporate Settlements, 58 BOSTON COLLEGE LAW REVIEW 1483 (2018)

The American Death Penalty Decline, 105 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 561 (2017) [with Alex Jakubow and Ankur Desai]

The Decline of the Virginia (and American) Death Penalty, 105 GEORGETOWN LAW JOURNAL 661 (2017)

Cumulative Constitutional Rights, 97 BOSTON UNIVERSITY LAW REVIEW 1309 (2017) [with Kerry Abrams]

A Tactical Fourth Amendment, 102 VIRGINIA LAW REVIEW 211 (2017) [with Seth Stoughton]

DNA and Distrust, 91 NOTRE DAME LAW REVIEW 757 (2015) [with Kerry Abrams]

Why Plea Bargains are not Confessions, 57 WILLIAM & MARY LAW REVIEW 1415 (2016)

Constitutional Law and the Law of Evidence, 71 CORNELL LAW REVIEW 57 (2015)

The Corporate Criminal as Scapegoat, 102 VIRGINIA LAW REVIEW 1789 (2015)
Translation in French (*Revue Internationale de Droit Économique*, 2016)

The Constitutional Standing of Corporations, 163 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 95 (2014)

Accuracy in Sentencing, 87 SOUTHERN CALIFORNIA LAW REVIEW 499 (2014)

Aggregation and Constitutional Rights, 87 NOTRE DAME LAW REVIEW 593 (2013)

Habeas Corpus and Due Process, 68 CORNELL LAW REVIEW 47 (2012)

Eyewitnesses and Exclusion, 65 VANDERBILT LAW REVIEW 451 (2012)

Globalized Corporate Prosecutions, 97 VIRGINIA LAW REVIEW 1775 (2011)

The Substance of False Confessions, 62 STANFORD LAW REVIEW 1051 (2010)

Invalid Forensic Science Testimony and Wrongful Convictions, 95 VIRGINIA LAW REVIEW 1 (2009)
[with Peter J. Neufeld]

Claiming Innocence, 92 MINNESOTA LAW REVIEW 1629 (2008)

Judging Innocence, 108 COLUMBIA LAW REVIEW 55 (2008)

Structural Reform Prosecution, 93 VIRGINIA LAW REVIEW 853 (2007)

Aggregation in Criminal Law, 95 CALIFORNIA LAW REVIEW 383 (2007)

Criminal Justice Collapse: The Constitution after Hurricane Katrina, 56 DUKE LAW JOURNAL 127 (2006)
[with Tania Tetlow]

Innocence, Harmless Error and Federal Wrongful Conviction Law, 2005 WISCONSIN LAW REVIEW 35

Madisonian Equal Protection, 104 COLUMBIA LAW REVIEW 807 (2004) [with James Liebman]

Experimentalist Equal Protection, 22 YALE LAW & POLICY REVIEW 261 (2004) [with James Liebman]

Remedying Racial Profiling, 33 COLUMBIA HUMAN RIGHTS LAW REVIEW 1 (2001)

Standing While Black: Distinguishing Lyons in Racial Profiling Cases, 100 COLUMBIA LAW REVIEW 1815 (2000)

Peer Reviewed Articles

Battling to a Draw: Defense Expert Rebuttal Can Neutralize Prosecution Fingerprint Evidence, APPLIED COGNITIVE PSYCHOLOGY 2 (2021) [with Gregory Mitchell]

Sensitizing Jurors Regarding Eyewitness Testimony (under submission) [with Chad Dodson, Karen Kafadar, Alice Liu, and Joanne Yaffe]

Understanding the Impact of Driver's License Suspension: Lay Opinion in Impacted and Non-Impacted Populations (under submission) [with Will Crozier and Karima Modjadidi]

Forensic Science in Legal Education, JOURNAL OF LAW AND EDUCATION (forthcoming) [with Glinda Cooper and Quinn Beckham]

North Carolina Specialty Courts, Treatment Access, and the Substance Abuse Crisis: A Promising but Underfunded Model, PSYCHIATRIC SERVICES (2021) [with Michele Easter, Jeffrey Swanson, William Crozier, Allison Robertson, Karima Modjadidi, and Marvin Swartz]

Judges and Forensic Science Education: A National Survey, FORENSIC SCIENCE INTERNATIONAL (2021) [with Brett Gardner, Evan Murphy, and Patrick M. Grimes], doi.org/10.1016/j.forsciint.2021.110714

Mock Jurors Evaluation of Firearms Evidence, 44 LAW AND HUMAN BEHAVIOR 412 (2020) [with Nicholas Scurich and Will Crozier], doi.org/10.1037/lhb0000423

Convicting with confidence? Why we Should Not Over-Rely on Eyewitness Confidence, MEMORY (2020) [with Shari Berkowitz, Kimberly Fenn, Elizabeth Loftus]

Eyewitness Identification Speed: Slow Identifications from Highly Confidence Eyewitnesses Hurt Perceptions of Their Testimony, JOURNAL OF APPLIED RESEARCH IN MEMORY AND COGNITION (2020) [with Chad Dodson, Karen Kafadar, Alice Liu, and Joanne Yaffe]

Juror Appraisals of Forensic Evidence: Effects of Blind Proficiency and Cross-Examination, 315 FORENSIC SCIENCE INTERNATIONAL (2020) [with Jeff Kukucka and Will Crozier]

Likelihood Ratios, Error Rates, and Jury Evaluation of Forensic Evidence, JOURNAL OF FORENSIC SCIENCES (2020) [with Will Crozier and Rebecca Grady], doi: 10.1111/1556-4029.14323

Open Risk Assessment, 38 BEHAVIORAL SCIENCES AND LAW 279 (2020) [with Megan Stevenson], doi.org/10.1002/bsl.2455

Factoring the Role of Eyewitness Evidence in the Courtroom, 17 JOURNAL OF EMPIRICAL LEGAL STUDIES 556 (2020) [with Chad Dodson, Karen Kafadar, Alice Liu, and Joanne Yaffe]

Do Heads Roll? An Empirical Analysis of CEO Turnover and Pay When the Corporation is Federally Prosecuted, 4 JOURNAL OF LAW, FINANCE, AND ACCOUNTING 137 (2020) [with Shivaram Rajgopal and Nan Li]

Risk Assessment in Sentencing and Plea Bargaining: The Roles of Prosecutors and Defense Attorneys, 37 BEHAVIORAL SCIENCES AND LAW 1 (2020) [with John Monahan, Anne Metz, and Alexander Jakubow]

Judicial Reliance on Risk Assessment in Sentencing Drug and Property Offenders: A Test of the Treatment Resource Hypothesis, 46 CRIMINAL JUSTICE AND BEHAVIOR 799 (2019) [with John Monahan and Alexander Jakubow], <https://doi.org/10.1177/0093854819842589>

The Impact of Proficiency Testing Information and Error Aversions on the Weight Given to Fingerprint Evidence, 37 BEHAVIORAL SCIENCES AND LAW 1 (2019) [with Gregory Mitchell], doi: 10.1002/bsl.2402

Risk and Resources: A Qualitative Perspective on Low-Level Sentencing in Virginia, 47 JOURNAL OF COMMUNITY PSYCHOLOGY 1476 (2019) [with Anne Metz, John Monahan, and Luke Siebert], <https://doi.org/10.1002/jcop.22199>

Judging Appraisals of Risk Assessment in Sentencing, 36 BEHAVIORAL SCIENCES AND LAW 1 (2018) [with John Monahan and Anne Metz], doi: 10.1002/bsl.2380

Comparing Categorical and Probabilistic Fingerprint Evidence, JOURNAL OF FORENSIC SCIENCES (2018) [with Gregory Mitchell and Nicholas Scurich], doi: 10.1111/1556-4029.13797.

Resolving Latent Conflict: What Happens When Latent Print Examiners Enter the Cage?, 289 FORENSIC SCIENCE INTERNATIONAL 215 (2018) [with Alicia Rairden, Daniel Murrie, Sharon Kelley and Amy Castillo]

How Jurors Evaluate Fingerprint Evidence: The Relative Importance of Match Language, Method Information and Error Acknowledgement, 10 JOURNAL OF EMPIRICAL LEGAL STUDIES 484 (2013) [with Gregory Mitchell]

Book Chapters

Law, Psychology, and Wrongful Convictions (chapter in *The Oxford Handbook of Psychology and Law*, Oxford U. Press) [with William Crozier] (forthcoming 2021)

Convicting the Innocent, Worldwide (chapter in *Wrongful Convictions in Italy*, Luca Luparia, ed.) (2020)

Bringing New Statistical Approaches to Eyewitness Evidence [with Alice Liu, Karan Kafadar and Joanne Yaffe] (2020)

Prosecution Post-Conviction (chapter in *Handbook on Prosecutors*, Ron Wright, ed. Oxford U. Press, 2021).

Innocence and the Global Death Penalty (chapter in *Comparative Capital Punishment Law*, Carol Steiker and Jordan Steiker, eds., Edward Elgar Pub., 2019)

Individual and Corporate Criminals (chapter in *Research Handbook on Corporate Crime and Financial Misdealing*, Jennifer Arlen, ed., Edward Elgar Publishing forthcoming 2020)

International Corporate Prosecutions (chapter in *Comparative Criminal Procedure*, Darryl Brown, Bettina Weisse, Jenia Turner, eds., Oxford U. Press, 2019)

Actual Innocence and Wrongful Convictions (chapter in *Bridging the Gap: A Report on Scholarship and Criminal Justice Reform*, Erik Luna, ed., 2017)

The Rise of Corporate Prosecutions in America (chapter in *Lei Anticorrupção*, Jorge Munhós, ed. 2017)

Convicting the Innocent Redux (chapter in *Wrongful Convictions and the DNA Revolution*, Daniel Medwed, ed., Cambridge University Press, 2017)

The Constitutional Rights of Corporations in the United States (chapter in *Understanding the Modern Company*, Barnali Choudhury and Martin Petrin, eds. Cambridge University Press, 2017)

Blinding Eyewitness Identifications (chapter in *Blinding as a Solution to Bias in Biomedical Science and the Courts: A Multidisciplinary Approach*, Kathi Hanna, Chris Robertson & Aaron Kesselheim eds., 2016, Elsevier Press)

Wrongful Convictions and the Role of Forensic Science (chapter in *Wiley Encyclopedia of Forensic Science*, 2014)

Images of Injustice (chapter in *Punishment and Popular Culture*, ed. Austin Sarat & Charles Ogletree, 2015, NYU Press)

Trial and Error (chapter in *Wrongful Convictions and Miscarriages of Justice*, ed. Ronald Huff & Martin Killias, Routledge, 2013)

Collaborative Organizational Prosecution (chapter in *Prosecutors in the Boardroom*, ed. Rachel Barkow & Anthony Barkow, NYU Press, 2011)

Essays

The Costs and Benefits of Forensics, 56 HOUSTON LAW REVIEW 593 (2020)

Federal Criminal Risk Assessment, 41 CARDOZO LAW REVIEW 121 (2020)

The Myth of the Reliability Test, 86 FORDHAM LAW REVIEW 1559 (2018) [with M. Chris Fabricant]

Evidence-Informed Criminal Justice, 85 GEORGE WASHINGTON LAW REVIEW 1490 (2018)

Causes of Wrongful Convictions and the Significance of the Innocence Movement, 34 Ritsumeikan Ningen Kagaku Kenkyu 77 (2016)

Towards an International Right to Claim Innocence, 105 CALIFORNIA LAW REVIEW 1173 (2017)

Forensics and Fallibility: Comparing the Views of Lawyers and Jurors, 119 WEST VIRGINIA LAW REVIEW 621 (2016) [with Greg Mitchell]

Constitutional Regulation of Forensic Evidence, 73 WASHINGTON & LEE LAW REVIEW 1147 (2016)

Confession Contamination Revisited, 101 VIRGINIA LAW REVIEW 395 (2015)
Translation in Chinese (forthcoming, Taiwan Law Review)

Interrogation Policies, 49 UNIVERSITY OF RICHMOND LAW REVIEW 895 (2015)

Eyewitness Identifications and Police Practices in Virginia, 3 VIRGINIA JOURNAL OF CRIMINAL LAW 1 (2014)

Validating the Right to Counsel, 70 WASHINGTON & LEE LAW REVIEW 927 (2013)

Introduction: Symposium on 'Convicting the Innocent,' 46 NEW ENGLAND LAW REVIEW 671 (2012)
(symposium issue)

DNA and Due Process, 78 FORDHAM LAW REVIEW 2919 (2010)

Corporate Confessions, 30 CARDOZO LAW REVIEW 917 (2009)

Book Reviews and Shorter Works

Two Decades of Corporate Criminal Enforcement, 83 LAW AND CONTEMPORARY PROBLEMS I (2021) (with Samuel W. Buell).

Advancing Social and Racial Justice Through Bail Reform, Houston Lawyer (Sept./Oct. 2020) [with Sandra Guerra Thompson]

COVID-19 and Criminal Justice Symposium Introduction, UNIVERSITY OF CHICAGO LAW REVIEW ONLINE (2020) [with Valeena Beety]

Virtual Criminal Courts, UNIVERSITY OF CHICAGO LAW REVIEW ONLINE (2020) [with Deniz Ariturk and William Crozier]

Foreword: Fees, Fines, Bail, and the Destitution Pipeline, 69 DUKE LAW JOURNAL 1463 (2020) [with Marin Levy and Sara Sternberg Green]

Justice in Forensic Algorithms, 2 HARVARD DATA SCIENCE REVIEW (2020)

Judging Eyewitness Evidence, 104 JUDICATURE 31 (2020)

Policing the Schoolhouse, 100 BOSTON U. L. REV. ONLINE 79 (2020)

Undeliverable: Suspended Driver's Licenses and the Problem of Notice, 1 U.C.L.A. CRIMINAL LAW REVIEW 185 (2020) [with Karima Modjadidi and William Crozier]

Introduction: Ten Years After the 2009 NAS Report on Forensics, 69 DUKE L. J. ONLINE (2019)

Self Policing: Eyewitness Identification Policies in Virginia, VIRGINIA L. REV. ONLINE 96 (2019)

Assessing Risk: The Use of Risk Assessment in Sentencing, 103 JUDICATURE 42 (2019) [with John Monahan]

Introduction: Symposium on Forensics, Statistics, and Law, 6 VIRGINIA JOURNAL OF CRIMINAL LAW 1 (2018)

The Reliable Application of Fingerprint Evidence, 66 U.C.L.A. LAW REVIEW DISCOURSE 64 (2018)

Introduction: Forensics Fail, 102 JUDICATURE 15 (2018)

A Pioneer in Forensic Science Reform: The Work of Paul Giannelli, 68 CASE WESTERN L. REV. 1 (2018)

The Global Evolution of Corporate Prosecutions, LAW AND FINANCIAL MARKETS REVIEW (2017)

The Boom and Bust of American Imprisonment, 95 TEXAS LAW REVIEW 163 (2017) (book review of Eugene Soltes, *Why They Do it*, Samuel Bell, *Capital Offenses*, and Darryl Brown, *Free Market Criminal Justice*)

Capital Jurors in an Era of Death Penalty Decline, 126 YALE LAW JOURNAL FORUM 417 (2017) [with Nicholas Scurich and Daniel Krauss]

Trials and Errors, 34 The Baffler (2017)

The Crime Lab in the Age of the Genetic Panopticon, 114 MICHIGAN LAW REVIEW 979 (2017)

Defending Against Wrongful Convictions, Quarterly Keiji-Bengo 62 (Winter 2016)

The Changing Face of Corporate Prosecutions, The Champion (September 2016)

Rare as Hen's Teeth: The New Geography of the American Death Penalty, ABA Human Rts Magazine (2016)

The Rise of Bank Prosecutions, 126 YALE LAW JOURNAL FORUM 33 (2016)

The Myth of the Presumption of Innocence, 94 TEXAS LAW REVIEW ONLINE 178 (2016)

The Metamorphosis of Corporate Criminal Prosecution, 101 VIRGINIA LAW REVIEW ONLINE 60 (2016)

Bad Hair: The Legal Response to Mass Forensic Errors, ABA Litigation Magazine (Summer 2016)

Rehabilitating Corporations, 67 FLORIDA LAW REVIEW ONLINE 1 (2014)

Big Data and Due Process, 100 CORNELL LAW REVIEW ONLINE 207 (2014)

Applause for the Plausible, 162 UNIVERSITY OF PENNSYLVANIA LAW REVIEW ONLINE 221 (2014)

Remaining Silent after Salinas, 80 UNIVERSITY OF CHICAGO LAW REVIEW DIALOGUE 116 (2013)

The Banality of Wrongful Convictions, 112 MICHIGAN LAW REVIEW 979 (2014) (book review of Dan Simon, *In Doubt*, and James Liebman et al., *Los Tocayos Carlos*)

Habeas Corpus Standing Alone: A Reply to Lee B. Kovarsky and Stephen I. Vladeck, 98 CORNELL LAW REVIEW ONLINE 35 (2013)

Blinded Criminal Justice, JOURNAL OF APPLIED RESEARCH IN MEMORY AND COGNITION, Commentary on "The Forensic Confirmation Bias," by Saul Kassin, Itiel Dror and Jeff Kukucka (2013)

Roots of Wrongful Convictions, Commentary in *Comparative Decision Making*, ed. Philip H. Crowley & Thomas R. Zentall (Oxford U. Press 2013)

Judges and Wrongful Convictions, 48 COURT REVIEW 132 (2012)

Opening the Black Box, 58 CRIME LAW & SOCIAL CHANGE 567 (2012) (book review of Dan Medwed, *Prosecution Complex*)

The Great Writ, REVIEW OF POLITICS (2012) (book review, Justin J. Wert, *Habeas Corpus in America*)

United States v. Goliath, 93 VIRGINIA LAW REVIEW IN BRIEF 91 (2007)

Selected Commentary

Ignoring Deep-Seated Problems at D.C.'s Crime Lab Will Cost Lives and Taxpayers, Wash. Post, June 11, 2021 [with Julia Leighton]

The Worsening Massachusetts Lab Scandal is Just the Beginning, Slate, May 13, 2021

How Biden Should Prosecute Corporate Crime, The American Prospect, Jan. 29, 2021 (book reviews)

The Supreme Court's COVID Cases, Slate, Dec. 17, 2020
Life Without Parole for Kids is Cruelty with No Benefit, The Atlantic, Oct. 19, 2020
Progress made but a lot more needed to free the innocent, Independent Tribune, Oct. 9, 2020 [with Jamie Lau]
Improving Police Accountability Will Create Police Reform, Wash. Post True Crime Blog, Sept. 29, 2020
Lethal State: Book Review, Criminal Law and Criminal Justice Books, July 28, 2020
Constitutional Criminal Procedure Post-COVID, Harvard Law Review Blog, May 19, 2020
Court fines and fees shouldn't be used to recover lost revenue from pandemic, Wash. Post. True Crime Blog, May 12, 2020
Criminal Debt in North Carolina is Out of Control, NC Policy Watch, April 22, 2020
The Metastasis of the Misdemeanor System, Boston Review, August 15, 2019 (book reviews)
When the Police Come for Your Driver's License, The American Conservative, April 9, 2019
Beyond Hard Time, The New Republic, March 14, 2019
The Supreme Court Steps in to Halt States' Predatory Fines, The Hill, March 4, 2019
NC Should End Life Sentences for Juveniles, News & Observer (and Newsday), Feb. 16, 2019
Beware of the Magic Box for DNA Testing, News & Observer, Feb. 7, 2019
The Prison Reform Bill's Implementation Will be Tricky, Slate, Dec. 27, 2018
Using the Constitution to End Punishment of the Poor, Law360, Oct. 28, 2018
Brendan Dassey's False Confession is an Example of a Bigger Problem, U.S.A. Today, June 9, 2018
When are Defendants Entitled to Experts in Death Penalty Cases, Wash. Post True Crime Blog, Oct. 30, 2017
The Moral Problem of Life-Without-Parole Sentences, Time, Oct. 26, 2017
Whats Behind the Decline in the Death Penalty, Marshall Project, October 2, 2017
The Problem of Innocence in Death Penalty Cases, Wash. Post True Crime Blog, Aug. 28, 2017
Why Jurors are Rejecting the Death Penalty, Slate, July 11, 2017
Ineffective Assistance on Appeal, ACS Blog, July 5, 2017 (with Lee Kovarsky)
Conservatives Are Leading the Way as States Enact Criminal Justice Reform, Slate, March 31, 2017
Clear Violation, Slate, January 30, 2017 (with Kerry Abrams)
Severe Mental Illness and Virginia's Death Penalty, Richmond Times-Dispatch, Dec. 2, 2016
The Public Interest in Corporate Monitorships: The HSBC Case, Oxford Business Law Blog, Nov. 16, 2016
SEC Boss Mary Jo White Should be Stepping Up, Not Down, Marketwatch, Nov. 15, 2016
Holding Companies, Not Just Individuals, Liable for Corporate Crime, OECD Insights, Oct. 28, 2016
Calls for Limits on 'Flawed Science' in Courtrooms Well-Founded, Wash. Post True Crime Blog, Sept. 20, 2016
(Not) Prosecuting Financial Crimes, RegBlog, June 21, 2016
Bad Hustle, CLS Blue Sky Blog, June 13, 2016
Deferred Prosecutions Need Judicial Oversight, National Law Journal, May 2, 2016 (with Alan Morrison)
The Genetic Panopticon, Boston Review, March 17, 2016
Firm Lines: Justice Scalia's Criminal Justice Legacy, The Crime Report, Feb. 16
The Year Banks Finally Paid, Slate, January 12, 2016
Can a Lawyer Oppose a Client's Plea to Live?, ACS Blog and Huffington Post, Dec. 1, 2015
Florida's Outlier Hanging Judges, ACS Blog, Nov. 9, 2015
Virginia's Vanishing Death Penalty, Slate, Oct. 30, 2015
It Takes a Plan (To End 'Too Big to Jail'), Huffington Post and CLS Blue Sky Blog, Oct. 14-15, 2015
Serving Life for a Lie, Huffington Post, Oct. 9, 2015
Who Bites the Bullet, ACS Blog and Forensics Forum, Oct. 6, 2015
Coerced Confessions and Jailhouse Snitches: why the death penalty is so flawed, The Conversation, Aug. 5, 2015
Last Words for the Death Penalty, Huffington Post, June 30, 2015 (with Lee Kovarsky)
Time to Crack Down on Recidivist Banks, The Conversation, March 26, 2015
A Time Out for the Death Penalty, Jurist, Feb. 21, 2015
The Corporate Criminal as Scapegoat, CLS Blue Sky Blog, Feb. 12, 2015
39 Years in Prison: Why We Need Better Science to Identify Culprits, ACS Blog, Nov. 24, 2014
Prosecutors Must Hold Corporate Offenders Accountable, N.Y. Times, Nov. 11, 2014
Too Big to Jail, ACS Blog, Nov. 4, 2014, and at CLS Blue Sky Blog
The Department of Justice Must Get Serious on 'Too Big to Jail', The Conversation, Oct. 22, 2014
Delusion and Execution, ACS Blog, Sept. 25, 2014
Put More Resources Toward Regulations, N.Y. Times, August 27, 2014
How to Corporate Believers Stand?, ACS Blog, July 2, 2014

Behind the Hangman's Cloak, Jurist, May 15, 2004
Hakamada Retrial Case: Reform Interrogation Process to Prevent False Confessions, Asahi Shimbun, April 17, 2014
Does Hobby Lobby Even Have Standing?, ACS Blog, March 26, 2014
Too Big to Jail?, Harvard U. Press Blog, Feb. 3, 2014
For a Better Way to Prosecute Corporations, Look Overseas, N.Y. Times, Sept. 23, 2013 (with David Zaring)
It's High Time for Lineup Reform, Richmond Times-Dispatch, Sept. 1, 2013
Criminal Justice and the Court's Past Term, Harvard U. Press Blog, Aug. 2, 2013
You Don't Have the Right to Remain Silent, Huffington Post, June 19, 2013
Are DNA Profiles the New Social Security Number?, Huffington Post, June 4, 2013 (with Erin Murphy)
Two Gateways to Habeas, ACS Blog, May 30, 2013 (with Lee Kovarsky)
Too Much Information, Slate, Feb. 12, 2013 (with Erin Murphy)
A Christmas Carol for Bankers, Huffington Post, Dec. 24, 2012
How About 'Mr. Victim'?, Huffington Post, July 23, 2012
Don't Believe the Hype on Corporate Bribery, Huffington Post, May 2, 2012
State Habeas at Center Stage, ACS Blog, March 29, 2012 (with Lee Kovarsky)
Learning What we Can from DNA, Cato Unbound, March 5, 2012
See no Evil, Slate, January 12, 2011
The Single Witness and the Single Eyewitness, ACS Blog, January 12, 2011
Trial and Error: Learning from Patterns of Mistakes, ABA Criminal Justice, Winter 2012
Eyes on an Execution, Slate, September 20, 2011
Procedures that Defy Science, N.Y. Times, Aug. 31, 2011
False Confessions, ABA Litigation Journal, Summer 2011
After Osama bin Laden's Death, Imagining a World without DNA Evidence, Washington Post, May 13, 2011
Convicting the Innocent in Virginia, Richmond Times-Dispatch, April 25, 2011
Getting Guilty Wrong: Convicting the Innocent, Slate, April 13-14, 2011 (two-part series)
Hiding the Forensics, ACS Blog, April 1, 2011
Getting Guilty Right, Boston Globe, March 27, 2011
Understanding Eyewitness Misidentifications, Harvard U. Press Blog, March 14, 2011
DNA and the Boundaries of Habeas Corpus, ACS Blog, March 7, 2011
DNA before the Court, Again, ACS Blog, Oct. 25, 2010
Judging Innocence, Nat'l Law Journal, January 9, 2006 (with Jason Solomon)

Online Data Collections

DNA Exonerations Resource Websites: www.convictingtheinnocent.com

Webpage containing detailed data on all 350 DNA exonerations in the United States, including on trial evidence, with selected excerpts from trial transcripts, records from police interrogations, and records of all appellate and post-conviction litigation in those cases.

The Corporate Crime Registry: lib.law.virginia.edu/Garrett/corporate-prosecution-registry/index.html

National registry of information on all federal corporate prosecutions in the United States from 2001 to present, including over 3,000 cases, with deferred and non-prosecution agreements, plea agreements, trial convictions, dismissals and declinations. Detailed data are coded for each case and underlying documents are provided. Created in collaboration with the UVA Law Library.

End of its Rope: Data on Death Sentencing, 1991-2017, at www.endofitsrope.com

Data on all death sentences imposed in the United States from 1991 to present, with data and visuals displaying which counties in which the sentences were imposed, data on race, and coding sheets explaining demographic and other county-level patterns in death sentencing during that time period.

RESEARCH AND POLICY PROJECTS

Monitor, O'Donnell v. Harris County (2020-present)

Court-appointed monitor heading team evaluating implementation of consent decree in federal civil rights case regarding misdemeanor bail. <https://sites.law.duke.edu/odonnellmonitor/>

Director, Wilson Foundation, Wilson Center for Science and Justice (2020-present)

Seven-year, \$10 million grants to create new research center at Duke to conduct interdisciplinary empirical criminal justice-related research. <https://wcsj.law.duke.edu>

Director and Principal Investigator, Charles Koch Foundation, Center for Science and Justice (2019-present)

Five-year, \$4.8 million grant to create new research center at Duke to conduct interdisciplinary empirical criminal justice-related research.

Principal Investigator, Charles Koch Foundation grant, Virginia Criminal Justice Policy Project (2017-2019) and North Carolina Criminal Justice Policy Project (2018-2019)

Grant to conduct research projects on non-violent risk assessment and mental health diversion in Virginia, a series of research projects on investigations, sentencing, and reentry in North Carolina, course offerings, planning multi-year plan for interdisciplinary research and teaching as part of an ongoing projects focusing on empirical research to improve criminal justice.

Co-Principal Investigator, Arnold Ventures, eyewitness memory (2016-2021)

Research on eyewitness memory, jury evaluation of eyewitness evidence, and regulation of eyewitness evidence, and convening Advisory Board of researchers, law enforcement, and key stakeholders, as part of three-year grant.

Principal Investigator, Duke Law, CSAFE NIST Forensic Science Center of Excellence (2015-present)

Coordinating law school research and teaching as part of a five-year renewable interdisciplinary collaboration among five universities (Duke, UVA, U.C. Irvine, Carnegie Mellon, and Iowa State University). Administer annual budget, plan trainings, conferences, teaching offerings, consulting and collaboration with crime laboratories. Service on CSAFE leadership team.

Proteus Action League Grant, Autopsy of a Crime Lab Communications (2021)

Proteus Action League Grant, County-level death Sentencing data resource website (2016-2017)

Proteus Action League Grant, Virginia capital trial research (2014-2015)

Open Society Institute, Media outreach grant (2010-2011)

Open Society Institute, DNA exoneration research (2008-2011)

Olin Foundation Grant, DNA exoneration research (2005-2006)

EXPERIENCE

Beldock, Levine & Hoffman, LLP, New York, NY (Sept. 2004-May 2005)
Associate. Litigated civil rights, criminal defense, and employment discrimination cases.

Cochran, Neufeld & Scheck, LLP, New York, NY (2002-2004)

Civil Rights Fellow. Litigated nationwide docket of wrongful conviction, DNA exoneration, and police brutality cases with Barry Scheck and Peter Neufeld.

The Honorable Pierre N. Leval, U.S. Court of Appeals for the Second Circuit, *Law Clerk* (2001-2002)

Debevoise & Plimpton, New York, NY, *Summer Associate* (2000)

Urban Justice Center, Homeless Outreach and Prevention Project, New York, NY (1997-1998)
Advocate. Represented indigent clients in workfare, welfare, Medicaid, SSI and housing Hearings.

TEACHING INTERESTS

Current Courses: Criminal Justice Policy Lab, Habeas Corpus, Constitutional Law, Forensic Evidence, Scientific Evidence, Federal Criminal Law, Death Penalty

Additional Interests: Civil Rights, Criminal Procedure, Civil Procedure, Evidence, National Security Detention, Class Actions, Corporate Crime, Wrongful Convictions, White Collar Crime, Remedies

Teaching Abroad: Current Issues in American Public Law, Münster, Germany, May 2013
American Public Law, Münster, Germany, May 2007

AWARDS

Carl McFarland Prize for faculty scholarship, University of Virginia School of Law, May 2015

A.B.A. Silver Gavel Award, Honorable Mention, May 2012

Constitutional Commentary Award, The Constitution Project, Sept. 2011

Research/Scholarship Award Winner, UVA Inauguration Poster Competition, April 2011

HEARING AND EXPERT TESTIMONY

Testimony, “Non-violent Risk Assessment in Virginia,” Virginia Criminal Sentencing Commission, April 9, 2018

Written testimony in support of B21-0189, “Police and Criminal Discovery Reform Amendment Act of 2015,” D.C. Counsel Committee on the Judiciary, October 31, 2015.

Testimony, Virginia House of Delegates, Committee for Courts of Justice, Hearing on H.B. No. 805, Jan. 15, 2014 (concerning regulating law enforcement lineup policies)

Presentation, United Nations, OHCHR Global Panel, “Moving Away from the Death Penalty: Wrongful Convictions,” June 28, 2013

Testimony, D.C. Council, Committee on the Judiciary, Hearing on “Department of Forensic Sciences Act of 2011,” February 7, 2011

Expert testimony, *State of Texas v. John E. Green*, Dec. 7, 2010 (hearing concerning wrongful convictions and administration of the death penalty)

Presentation, *Eyewitness Misidentifications*, Virginia Crime Commission, Sept. 8, 2010

Testimony, House Judiciary Committee, Subcommittee on Commercial and Administrative Law Hearing on “Transparency and Integrity in Corporate Monitoring” November 19, 2009

Testimony, House Judiciary Committee, Subcommittee on Commercial and Administrative Law Hearing on “Deferred Prosecution: Should Corporate Settlement Agreements Be Without Guidelines?” March 3, 2008

Presentation, *Improper use of Forensic Science in the First 200 Post-Conviction DNA Exonerations*, National Academy of Science, Committee on Identifying the Needs of the Forensic Sciences Community, September 20, 2007 [with Peter J. Neufeld]

REPORTS

Second Report of the Court-Appointed Monitor, ODonnell v. Harris County, March 3, 2021

First Report of the Court-Appointed Monitor, ODonnell v. Harris County, Sept. 3, 2020

The Explosion of Criminal Fines and Fees in North Carolina (2020)

Driver's License Suspension in North Carolina [with Will Crozier] (2019)

Juvenile Life without Parole in North Carolina [with Karima Modjadidi, Kristen Renberg, and Ben Finholt] (2019)

Nonviolent Risk Assessment in Virginia Sentencing: The Sentencing Commission Data (2018) [with Alexander Jakubow and John Monahan]

Nonviolent Risk Assessment in Virginia Sentencing Report 2: A Survey of Circuit Court Judges (2018) [with Anne L. Metz and John Monahan]

In the Shadow of the Death Penalty, United Nations, OHCHR, "Death Penalty and the Victims" (2016)

The United States, in The Death Penalty Project, *Wrongful Convictions, Miscarriages of Justice, Unfair Trials and the Death Penalty* (2014)

DNA Exonerations in the United States, United Nations, OHCHR Global Panel, "Moving Away from the Death Penalty: Wrongful Convictions" (2014)

Corporate Anti-Corruption Prosecutions in the United States, Fifth Session of the International Forum on Crime and Criminal Law in the Global Era, Nov. 2013.

The Incidence of Improper Forensic Science Testimony in the Criminal Trials of the Innocent, National Academy of Science, Committee on Identifying the Needs of the Forensic Sciences Community, February 1, 2008 [with Peter J. Neufeld]

AMICUS BRIEFS

Brief of Amicus Curiae Innocence Project and Wilson Center for Science and Justice, *State v. Richardson*, No. 272A14-1 (2021).

Brief of Amici Curiae of Scholars, *State v. Bryan*, No. WR089,339-01 (2019)

Brief for Amici Curiae Scholars of Law, Psychology, Neuroscience, *Garner v. Colorado*, 19-75 (2019)

Brief for Amici Curiae, *Long v. Hooks*, 18-6980 (4th Cir. 2018)

Brief of Amici Curiae, *State v. McPhaul*, No. 421PA17 (N.C. July 30, 2018)

Brief of Amici Curiae of Professors of Criminal Law, Criminal Procedure, and Constitutional Law in Support of Petitioner, *Dassey v. Dittmann*, S.Ct. No. 17-1172 (2018)

Brief of Amici Curiae Brandon L. Garrett and 35 Scientists, Statisticians, Law and Science Scholars, and Practitioners, *People v. Genrich*, No. 2016CA651 (Co. Ct. App. February 9, 2017)

Brief of Amici Curiae Innocence Project and NACDL, *U.S. v. Russo*, 16-2118 (2d Cir., December 13, 2016).

Brief of Amici Curiae Juvenile Law Center, Wicklander-Zulaski & Assoc. Inc. and Professor Brandon Garrett, *Dassey v. Dittmann*, No. 14 CV 1310 (7th Cir., Dec. 13, 2016)

Brief of Amici Curiae Professor Brandon L. Garrett in support of appellee, *HSBC v. Moore*, No. 16-308(L) (2d Cir. October 27, 2016).

Forensic Bitemark Identification: Weak Foundations, Exaggerated Claims, 10 J. L. Biosci. 1093 (2016) [Michael J. Saks et. al., publishing amicus brief in *People v. Richards*, No. S223651 (CA 2016)]

Memorandum of Law of Amicus Curiae Law Professor, *U.S. v. Saena Tech Corp.*, No. 14-cr-00066-EGS (D.D.C. August 22, 2014)

Brief of 14 Scholars of Forensic Evidence as *Amici Curiae* Supporting Respondent, *Maryland v. King*, S.Ct. No. 12-207 (2013) [with Erin Murphy]

SELECTED ACADEMIC PRESENTATIONS

Viral Injustice, South Carolina School of Law, Jan. 23, 2021

The Trajectory of Federal Firearms Crimes, Duke University School of Law, July 8, 2020

Judging Risk, U. Minn. School of Law, Feb. 21, 2019

The Decline of Corporate Prosecutions, University College London, School of Law, Jan. 30, 2019

The Reliability of Forensic Evidence, University of Glasgow Law, Jan. 29, 2019

Keynote: *The Reliability of Forensic Evidence*, Public Defender Services Conference, Wash. D.C. July 28, 2018

Chair Lecture: *White Burkett Miller Professor of Law and Public Affairs*, UVA Law, Nov. 10, 2017

End of its Rope: How Killing the Death Penalty Can Revive Criminal Justice, U. Penn. Law School, Nov. 8, 2017

Keynote: *Convicting the Innocent*, European Innocence Network Conference, Roma Tre Univ., Rome, Italy, Oct. 16, 2017

End of its Rope: Lessons from the American Death Penalty Decline, University of Bologna, Bologna, Italy, Oct. 17, 2017

Too Big to Jail: The Global Evolution of Corporate Prosecutions, University of Bologna, Bologna, Italy, Oct. 17, 2017

Too Big to Jail: Understanding Corporate Prosecutions, European University Institute (EUI), Florence, Italy, Oct. 18, 2017

End of its Rope: What Explains the Decline in American Death Sentences?, Columbia Law School, Oct. 11, 2017

The Proficiency of Experts, UVA Law, July 11, 2017 [with Greg Mitchell]

The Proficiency of Experts, University of Chicago School of Law, May 23, 2017

Convicting the Innocent, East China University of Political Science and Law, Shanghai, China, Dec. 19, 2016

Convicting the Innocent, Southwest University for Nationalities, Chengdu, China, Dec. 17, 2016

Convicting the Innocent, China University of Political Science and Law, Beijing, China, Dec. 15, 2016

The American Death Penalty Decline, Northwestern University School of Law, Nov. 10, 2016

Too Big to Jail: Trends in Corporate Enforcement, Institut des Hautes Études sur la Justice, Paris, France, Oct. 13, 2016

First Annual Fishlinger Lecture, University of Maryland, College Park, MD, Sept. 22, 2016

Cumulative Constitutional Rights, American University Washington College of Law, April 5, 2016 [with Kerry Abrams]

Death Row Exonerations and DNA Testing, Tokyo, Japan, March 18, 2016

Causes of Wrongful Convictions and the Innocence Movement, Ritsumeikan University, Kyoto, Japan, March 20, 2016

Corporate Prosecutions and Regulatory Capture, Administrative Conference of the U.S., March 3, 2016

The Triumph of Mercy, F.S.U. School of Law, Feb. 24, 2016

Too Big to Jail: How Corporations are Prosecuted in the U.S., All Souls Visiting Fellow Seminar, Oxford, June 2, 2015

Too Big to Jail: The Evolution of Corporate Prosecutions in the U.S., PEFM Seminar, St. Antony's College, June 1, 2015

Too Big to Jail: Pourquoi Les Dirigeants Ne Sont-Ils Pas Inculpés Pour Les Délits Commis Par Leurs Entreprises? Lille 2, France, May 20, 2015 (conference about *Too Big to Jail* book)

The Decline of the Virginia (and American) Death Penalty, Warwick School of Law, May 7, 2015

Too Big to Jail: Theory and Evidence on Corporate Crime Enforcement, All Souls Criminology Seminar, April 30, 2015

The Decline of the Virginia (and American) Death Penalty, Cornell Law School, March 25, 2015

Why Guilty Pleas are Not Confessions, William & Mary School of Law, Symposium, Feb. 13, 2015
Too Big to Jail, Briefing to U.S. House of Representatives, Finance Committee Legislative Aides, Jan. 8, 2014
Too Big to Jail, UVA Darden / McIntyre Finance Seminar, Nov. 21, 2014
Regulating Genetic Evidence, Duke Law School, Nov. 14, 2014 [with Kerry Abrams]
 Keynote addresses: *Law and Science of Eyewitness Memory and False Confessions*, Taiwan Association for Innocence conference, National Taiwan University, Taipei, Aug. 30-31, 2014
Regulating Genetic Identity, University of Virginia School of Law, June 12, 2014 [with Kerry Abrams]
Regulating Genetic Identity, Emerging Family Law Conference, May 27, 2014 [with Kerry Abrams]
Contaminated Confessions, False Confessions Symposium, Washington & Lee School of Law, Jan. 31, 2014
Wrongful Convictions and the Death Penalty, ABA Carter Center Death Penalty Conference, Nov. 12, 2013
The Rule of Law and Wrongful Convictions, 2013 U.S.-China Legal Experts Dialogue, Nov. 7-8, 2013
Corporate Prosecutions and the Ostrich Problem, University of Virginia School of Law, June 2, 2012
Too Big to Jail, University of Muenster, Germany, May 15, 2013
Too Big to Jail, University of Virginia School of Law, November 16, 2012
Validating the Right to Counsel, Washington & Lee 50th Anniversary of *Gideon* Conference, Oct. 8, 2012
Too Big to Jail, Maryland Law School, September 20, 2012
Convicting the Innocent, West Virginia Circuit Judges Conference, May 16, 2012
How Jurors Evaluate Fingerprint Evidence, Criminal Justice Roundtable, Columba Law School, May 4, 2012
Wrongful Convictions and the Judiciary, Keynote, New England Law Review Symposium dedicated to “Convicting the Innocent,” New England School of Law, Feb. 19, 2012
Eyewitnesses and the Court, Keynote Address, Catholic U. L. Rev. Annual Symposium, Feb. 10, 2012
Convicting the Innocent, ASU Sandra Day O’Connor School of Law, Jan. 19, 2012
Habeas Corpus and Due Process, University of Virginia School of Law, Nov. 14, 2011
Convicting the Innocent, Hoffinger Colloquium, NYU Law School, Oct. 25, 2011
Forensics, Defense Lawyering, and Wrongful Convictions, NIJ Forensic Science Training, Sept. 17, 2011
Convicting the Innocent, Duke Law School, April 6, 2011
Eyewitnesses and Exclusion, George Washington Law School, March 23, 2011
Eyewitnesses and Exclusion, Vanderbilt Law School, Feb. 16, 2011
Trials of the Innocent, NIJ International Perspectives on Wrongful Convictions, Sept. 14, 2010
Eyewitness Misidentifications, University of Virginia School of Law, June 22, 2010
The Substance of False Confessions, Lecture, 2010 Innocence Network Conference, April 12, 2010
Criminal Trials of the Exonerated, Panel on the Empirical Study of Wrongful Convictions, American Society of Criminology Annual Conference, Nov. 5, 2009
Forensic Science and Wrongful Convictions, University of Toronto, Centre for Forensic Science & Medicine Seminar Series, Oct. 23, 2009
The Relationship between Regulation and Organizational Prosecutions, NYU Law, May 7-8, 2009
Forensic Science and Wrongful Convictions, ASU Law, Forensic Science for the 21st Century: The National Academy of Science Report and Beyond, April 5, 2009.
Globalized Corporate Prosecutions, Wash. University School of Law, March 6, 2009
The Substance of False Confessions, U. Chicago School of Law, Crime and Punishment Workshop, Feb. 12, 2009
Forensic Science and Wrongful Convictions, Ninth Annual Buck Colbert Franklin Memorial Civil Rights Lecture, University of Tulsa School of Law, Oct. 21, 2008
The Substance of False Confessions, University of Virginia Dept. of Psychology, Sept. 30, 2008
Litigation by the Innocent over Time, Conference Empirical Legal Studies, Sept. 13, 2008 [with J.J. Prescott]
Preventing Invalid Forensic Science Testimony, University of Virginia School of Law, July 14, 2008
Improper Forensic Science and Wrongful Convictions, Harvard Criminal Justice Roundtable, May 2, 2008
Claiming Innocence, University of Georgia School of Law, Sept. 10, 2007
Claiming Innocence, University of Virginia School of Law, Aug. 7, 2007
Structural Reform Prosecution, Georgetown University Law Center, Feb. 15, 2007
Structural Reform Prosecution, University of Virginia School of Law, Nov. 17, 2006
Judging Innocence, First Annual Conference on Empirical Legal Studies, Oct. 27, 2006
Criminal Justice Collapse, University of Virginia Symposium on Race & Society, Nov. 3, 2006
Structural Reform Prosecution, Junior Criminal Law Conference, G.W. Law School, Aug. 11, 2006
Aggregation in Criminal Law, Faculty Retreat, University of Virginia School of Law, Jan. 12, 2005

CONFERENCE PLANNING

First Annual Empirical Criminal Law Conference, Duke Law (Dec. 3-4, 2020)
National Summit on Eyewitness Evidence, Duke Law (Nov. 15-16, 2020).
Center for Science and Justice, Monday Works in Progress Series (May 2020-present)
Criminal Justice Books Conference, Duke Law (Jan. 14-15, 2020)
Corporate Compliance Roundtable, Duke Law (Nov. 16, 2019)
Law, Science, and Eyewitness Memory, Duke Law (August 21, 2018)
Corporate Compliance Roundtable, UVA Law (May 11, 2018)
Forensic Science, Statistics & Law, CSAFE Conference, UVA Law (March 26, 2018)
Corporate Compliance Roundtable, UVA Law (Nov. 4-5, 2017)
Law, Science, and Eyewitness Memory, UVA Law (Sept. 14, 2017)
Corporate Compliance Roundtable, UVA Law (May 14-15, 2017) (co-organized and founded event)
Neighborhood Criminal Justice Roundtable (May 8-9, 2016) (co-organized works in progress conference)
Criminal Justice Roundtable Conference on Policing, UVA Law, March 2015
Virginia Journal of Criminal Law Annual Symposium, *Sentencing in Virginia* (Feb. 27, 2015)
Advisory Committee, NYU Law, Conference on Corporate Criminal Enforcement (April 2013)
Virginia Journal of Criminal Law Annual Symposium, *Criminal Discovery in Virginia* (Feb. 26, 2014)
Neighborhood Criminal Justice Roundtable (June 2-3, 2013) (co-organized works in progress conference)
Virginia Journal of Criminal Law Annual Symposium, *Eyewitness Identification Procedures in Virginia*,
(April 3, 2013) (organized in-service training event for over 100 police chiefs, law enforcement,
prosecutors, policymakers, and social scientists, as an annual journal symposium)
Olin Conference, *Law and Economics of Criminal Law*, UVA Law, March 2011 (co-organizer)
May Gathering Junior Scholar Conference, UVA Law (2007, 2008) (co-organizer)
Criminal Law Colloquium Speaker Series, UVA Law (2005-2006) (organizer)

SERVICE

Chair, Duke Law Communications Committee (2019-2021)
Judicature Editorial Board (2019-present)
UVA Community Engagement Faculty Committee (2017-present)
Empirical Project Review Committee (2016-present)
Appointments Committee, Entry Level, Internal Promotions and Lateral Hiring (2012-2013)
University Strategic Planning Task Force Work Group Member (2012-2013)
Law & Public Service Program Faculty Mentor (2011-present)
Faculty Retreat and Workshops Committee (2011-2012)
Empirical Legal Studies Committee (2010-2011)
Admissions Committee (2006-2008)
Center for the Study of Race & Law, Committee Member (2005-2008, 2011)

PROFESSIONAL ACTIVITIES AND BAR ADMISSIONS

American Psychology-Law Society, Chair, Legal Scholars Committee (March 2020-present)
American Bar Association, Death Penalty Due Process Review Project (July 2020-present)
Board Member, Center for Death Penalty Litigation (2019-present)
Member, American Law Institute (2015-present)
Associate Reporter, ALI Principles of Policing Investigation (2015-present)
Committee Member, National Academy of Sciences, Committee on Scientific Approaches to Understanding
and Maximizing the Validity and Reliability of Eyewitness Identification in Law Enforcement and the
Courts, Phase I: Social Sciences (2013-2014)

Advisory Board Member, Death Penalty Information Center (2016-present)
Research Advisory Board Member, The Fountain Fund (2017-present)
Advisory Board Member, National Registry of Exonerations (2013-present)
Working Group Member, Virginia State Crime Commission Eyewitness Evidence Commission (2012-2013)

Subcommittee Reporter, ABA Task Force on Corporate Monitors (2010-2011)
Grant Reviewer, Division for Social Sciences of the Netherlands Organization for Scientific Research (2014)
Peer Reviewer, National Institute of Justice (2009-present)
Regular Peer Reviewer, Harvard University Press, Oxford University Press, and a range of scientific journals
Law Enforcement Work Group Member, Virginia Crime Commission (2010-2011)

First Circuit Court of Appeals (2004)
U.S. District Court for the Southern District of New York (2003)
U.S. District Court for the Eastern District of New York (2003)
New York State Bar (2003)

SELECTED PRINT MEDIA

Ben Protess et al, *Trump Administration Sparing Corporate Wrongdoers*, N.Y. Times, Nov. 3, 2018
Maurice Chapman, *Whats Behind the Decline in the Death Penalty?*, The Marshall Project, Oct. 2, 2017
Emily Bazelon, *Where the Death Penalty Still Lives*, N.Y. Times Magazine, Aug. 23, 2016.
Luigi Ferrarella, *Quei Compromessi Tra Aziende e Giustizia*, Sette, Jan. 1, 2016
Frank Green, *UVA Study Credits Better Defense Lawyers*, Richmond-Times Dispatch, Oct. 19, 2015
Larry O'Dell, *Study: Better Legal Defense Leads to Fewer Death Penalties*, Associated Press, Oct. 19, 2015
Matt Apuzzo and Ben Protess, *Justice Department Sets Sights on Wall Street Executives*, N.Y. Times, Sept. 10, 2015
James B. Stewart, *In Corporate Crimes, Individual Accountability is Elusive*, N.Y. Times, Feb. 19, 2015
Jed. S. Rakoff, *Justice Deferred is Justice Denied*, N.Y. Review of Books, Feb. 19, 2015
Collin Levy, *Crime and Punishment*, Wall Street Journal, Feb. 3, 2015
Humberto Maia Junior, *E Preciso Punir*, Exame, Jan. 21, 2015
Lauren-Brooke Eisen, *Too Big to Jail*, New York Law Journal, Dec. 18, 2014
Joel Schectman, *Professor Says Corporate Penalties Aren't Working*, Wall St. Journal, Risk & Compliance, Dec. 8, 2014
Richard Cohen, *Wall Street Needs a Lesson from the DMB*, Washington Post, Dec. 1, 2014
Lawrence Summers, *Companies on Trial: Are They Too Big to Jail?*, Financial Times, Nov. 21, 2014
Jessica Pishko, *Extraordinary Criminals*, Boston Review, Nov. 18, 2014
Danielle Kurtzlebaum, *Too big to jail: why the government is quick to fine but slow to prosecute*, Vox, Nov. 16, 2014
Astrid Dorner, *"Banken Weden Rückfällig" er Autor von 'Too big to Jail'*, Handelsblatt, Nov. 12, 2014
Benjamin Protess and Jessica Silver-Greenberg, *Prosecutors Suspect Repeat Offenses on Wall Street*, N.Y. Times, Oct. 29, 2014
Susan Beck, *Q&A: Brandon Garrett on Corporate Prosecution Agreements*, Litigation Daily, Oct. 17, 2014
Spencer Hsu, *UVA Law study: Most Va. Police agencies don't record interrogations, despite trend*, Wash. Post, Sept. 6, 2014
Cover story, *Criminalizing the American Economy*, *The Economist*, August 30, 2014
Kim Bode, *"Too big to jail": Banken müssen sich nur selten für Exzesse verantworten. Inzwischen aber greifen Staatsanwaltschaften härter durch, sagt Rechtsexperte Brandon Garrett*, Zeit, July 15, 2014
Jesse Eisinger, *France Sees Double Standard in U.S. Prosecution of BNP*, N.Y. Times, June 18, 2014
Aruna Viswanatha & Karen Freifeld, *As Bank Fines Soar, U.S. Threatened \$16 billion BNP Penalty*, Reuters, June 6, 2014
Jesse Eisinger, *Seeking Tough Justice, but Settling for Empty Promises*, N.Y. Times, May 7, 2014
Carol Morello and Carol D. Leonnig, *Chris Christie's Long Record of Pushing Boundaries*, Wash. Post, Feb. 10, 2014
Michael Rothfeld, *Firms are Penalized, But Workers Aren't*, Wall Street Journal, Jan. 16, 2014
Jonathan Weil, *What Does it Take to Get a Bank to Plead Guilty*, Bloomberg View, Dec. 12, 2013
Jessica Silver-Greenberg & Benjamin Protess, *Criminal Action is Expected for JPMorgan*, N.Y. Times, Dec. 11, 2013
Peter Lattman & Benjamin Protess, *SAC Capital Agrees to Plead Guilty to Insider Trading*, N.Y. Times, Nov. 4, 2013
Spencer Hsu, *9 in 10 Va. police agencies fall short of photo lineup guidelines*, Wash. Post, Aug. 26, 2013
Jonathan Weil, *Where are the Libor Cases Against U.S. Banks?*, Bloomberg View, June 27, 2013
Max Ehrenfreund, *After the Supreme Court's DNA Decision*, Wash. Post, June 4, 2013
John Schwartz, *BP Will Plead Guilty and Pay Over \$4 Billion*, N.Y. Times, Nov. 16, 2012
Richard Lewontin, *Let the DNA Fit the Crime*, N.Y. Review of Books, Feb. 23, 2012
Scott Lemieux, *Eye of the Beholder*, American Prospect, Jan. 13, 2012
John S. Adams, *'Speeding Train' Interrogations Can Fuel False Confessions*, USA Today, Dec. 28, 2011
The Editors, *Out of Sight*, The New Republic, Nov. 24, 2011
Andrew Martin, *The Prosecutor's Case against DNA*, N.Y. Times Magazine, Nov. 25, 2011
Adam Liptak, *34 Years Later, Supreme Court Will Revisit Eyewitness ID's*, N.Y. Times, Aug. 22, 2011

Jeffrey Rosen, *Criminal Injustice*, N.Y. Times, May 26, 2011 (reviewing “Convicting the Innocent”)
 Beth Schwartzapfel, *Forensics under the Microscope*, Newsweek, Feb. 17, 2011
 John Schwartz, *Confessing to Crime, But Innocent*, N.Y. Times, Sept. 13, 2010
 Tasha Kates, *Q&A: Exploring False Confessions*, The Daily Progress (Charlottesville), May 10, 2010
 Shaila Dewan, *Prosecutors Block Access to DNA Testing for Inmates*, N.Y. Times, May 17, 2009
 Jennifer Mnookin, *Clueless Science*, L.A. Times, Feb. 18, 2009
 Solomon Moore, *Science Found Wanting in Nation’s Crime Labs*, N.Y. Times, Feb. 5, 2009 at A1
 Dan Simon, *A Publicity Stunt from the Lamer D.A.*, Rocky Mt. News, Nov. 28, 2008
 Leonard Pitts, Jr., *Anger, Compassion and Justice*, Seattle Times, Oct. 8, 2008
 Brian O’Donoghue, *Lessons from DNA*, Fairbank News-Miner, July 9, 2008
 Editorial, *How They Were Wrongly Convicted*, Globe & Mail, July 30, 2007
 Editorial, *Securing Innocence*, Baltimore Sun, July 29, 2007
 Frank Greene, *Wrongful Convictions Studied*, Richmond Times-Dispatch, July 23, 2007
 Stuart Taylor, Jr., *Innocents in Prison*, The Atlantic, Aug. 7, 2007
 Adam Liptak, *New Study Examines False Convictions*, N.Y. Times, July 23, 2007 at A1

SELECTED TELEVISION AND RADIO

NPR, NC Policywatch, *Driver’s License Suspension in NC*, April 15, 2019
 PBS, American Forum, *The Dysfunction of American Justice*, January 23, 2016
 NPR, Morning Edition, *Justice Department Pledges to Crack Down on Wall Street Fraud*, Sept. 10, 2015
 NPR, Morning Edition, *Not Prosecuting Companies if They Promise to Behave*, March 24, 2015
 CSPAN, Book TV, *Panel Discussion on Government and Corruption*, Virginia Festival of the Book, March 21, 2015
 CSPAN, Book TV, *Too Big to Jail*, Dec. 3, 2014
 CNBC, *You Can’t Literally Put a Company in Jail*, Dec. 19, 2014
 BBC, The Inquiry, *Why Aren’t More Dishonest Bankers in Jail*, Dec. 2, 2014
 NPR, All Things Considered, *New Recommendations Could Improve Eyewitness Testimony*, Nov. 18, 2014
 The Brian Lehrer Show, *Why Bankers Didn’t Go to Jail*, Nov. 4, 2014
 CNN, *Inside UVA Kidnapping Suspect’s Home*, Oct 21, 23, 2014
 WINA, *Brandon Garrett*, Oct. 15, 2014
 The Kojo Nnamdi Show, *Eyewitness Identification and Police Transparency in Virginia*, NPR, Aug. 29, 2013
 Newsplex, *UVA Study Finds Most Va. Police Using Outdated ID Policies*, CBS News, Aug. 26, 2013
 WVTM, *UVA Law Professor on Convicting the Innocent*, NPR, Sept. 4, 2013
 WHYY’s Radio Times, *Reexamining Eyewitness Testimony*, Nov. 21, 2011
 Talk of the Nation, *Reliability of Eyewitness Testimony under Scrutiny*, NPR, Aug. 29, 2011
 All Things Considered, *Report: Forensics Rife With ‘Serious Problems,’* NPR, Feb. 18, 2009